

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
SHELBY DIVISION

IN RE

Samuel Calvin Houser

SSN: XXX-XX-9963

Debtor.

Case No. 21-40095

Chapter 13

FINAL REPORT AND SCHEDULE OF POST-PETITION DEBTS
PURSUANT TO RULE 1019(6)

The Debtor's current address is PO box 43, Vale, NC 28168.

The Debtor hereby represents to the Court that the following are all of the unpaid debts incurred after commencement of the Chapter 13 on June 2, 2021 through and until this case was converted to a Chapter 7 case on August 26, 2021, except for Court-ordered debts, utility, rent and tax accruals:


<u>CREDITORS & ADDRESS</u>	<u>DATE INCURRED</u>	<u>APPROXIMATE AMOUNT</u>
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The Debtor has no other creditors other than those listed in the Chapter 13. The Debtor has not acquired any new property. There are no outstanding executory contracts which were assumed or entered into thereafter.

The Debtor will turn over to the Trustee in Bankruptcy the records and property of the Debtor's estate in his possession or subject to his control.

STATE OF NORTH CAROLINA
COUNTY OF IREDELL

I hereby swear that we have examined the foregoing Final Report pursuant to Rule 1019(b) and certify that the foregoing is true and correct to the best of my knowledge, information and belief.



Samuel Calvin Houser

8-26-21

Date

Fill in this information to identify your case:

Debtor 1 Samuel Calvin Houser
 First Name Middle Name Last Name

Debtor 2
 (Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: Western District of North Carolina
 (State)

Case number 21-40095
 (If known)

Check if this is:

- ☒ An amended filing
- ☐ A supplement showing postpetition chapter 13 expenses as of the following date:

MM / DD / YYYY

Official Form 106J

Schedule J: Your Expenses

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach another sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Your Household**1. Is this a joint case?**

- ☒ No. Go to line 2.
- ☐ Yes. Does Debtor 2 live in a separate household?

☐ No☐ Yes. Debtor 2 must file Official Form 106J-2, *Expenses for Separate Household of Debtor 2*.**2. Do you have dependents?**

Do not list Debtor 1 and Debtor 2.

Do not state the dependents' names.

☐ No☒ Yes. Fill out this information for each dependent.....

Dependent's relationship to Debtor 1 or Debtor 2

Dependent's age

Does dependent live with you?

spouse

54

☐ No☒ Yes☐ No☐ Yes☐ No☐ Yes☐ No☐ Yes☐ No☐ Yes**3. Do your expenses include expenses of people other than yourself and your dependents?**☒ No☐ Yes**Part 2: Estimate Your Ongoing Monthly Expenses**

Estimate your expenses as of your bankruptcy filing date unless you are using this form as a supplement in a Chapter 13 case to report expenses as of a date after the bankruptcy is filed. If this is a supplemental *Schedule J*, check the box at the top of the form and fill in the applicable date.

Include expenses paid for with non-cash government assistance if you know the value of such assistance and have included it on *Schedule I: Your Income* (Official Form 106I.)

4. The rental or home ownership expenses for your residence. Include first mortgage payments and any rent for the ground or lot.

Your expenses

4. \$ 2,129.80

If not included in line 4:

4a. Real estate taxes

4a. \$ 0.00

4b. Property, homeowner's, or renter's insurance

4b. \$ 150.00

4c. Home maintenance, repair, and upkeep expenses

4c. \$ 50.00

4d. Homeowner's association or condominium dues

4d. \$ 0.00

Debtor 1 Samuel Calvin Houser
 First Name Middle Name Last Name

Case number (if known) 21-40095

Your expenses

- | | | | |
|--|------|----|--------|
| 5. Additional mortgage payments for your residence, such as home equity loans | 5. | \$ | 0.00 |
| 6. Utilities: | | | |
| 6a. Electricity, heat, natural gas | 6a. | \$ | 225.00 |
| 6b. Water, sewer, garbage collection | 6b. | \$ | 0.00 |
| 6c. Telephone, cell phone, Internet, satellite, and cable services | 6c. | \$ | 0.00 |
| 6d. Other. Specify: _____ | 6d. | \$ | 0.00 |
| 7. Food and housekeeping supplies | 7. | \$ | 500.00 |
| 8. Childcare and children's education costs | 8. | \$ | 0.00 |
| 9. Clothing, laundry, and dry cleaning | 9. | \$ | 100.00 |
| 10. Personal care products and services | 10. | \$ | 0.00 |
| 11. Medical and dental expenses | 11. | \$ | 300.00 |
| 12. Transportation. Include gas, maintenance, bus or train fare.
Do not include car payments. | 12. | \$ | 400.00 |
| 13. Entertainment, clubs, recreation, newspapers, magazines, and books | 13. | \$ | 0.00 |
| 14. Charitable contributions and religious donations | 14. | \$ | 0.00 |
| 15. Insurance.
Do not include insurance deducted from your pay or included in lines 4 or 20. | | | |
| 15a. Life insurance | 15a. | \$ | 0.00 |
| 15b. Health insurance | 15b. | \$ | 0.00 |
| 15c. Vehicle insurance | 15c. | \$ | 100.00 |
| 15d. Other insurance. Specify: _____ | 15d. | \$ | 0.00 |
| 16. Taxes. Do not include taxes deducted from your pay or included in lines 4 or 20.
Specify: <u>County</u> | 16. | \$ | 150.00 |
| 17. Installment or lease payments: | | | |
| 17a. Car payments for Vehicle 1 | 17a. | \$ | 0.00 |
| 17b. Car payments for Vehicle 2 | 17b. | \$ | 0.00 |
| 17c. Other. Specify: _____ | 17c. | \$ | 0.00 |
| 17d. Other. Specify: _____ | 17d. | \$ | 0.00 |
| 18. Your payments of alimony, maintenance, and support that you did not report as deducted from your pay on line 5, <i>Schedule I, Your Income</i> (Official Form 106I). | 18. | \$ | 0.00 |
| 19. Other payments you make to support others who do not live with you.
Specify: _____ | 19. | \$ | 0.00 |
| 20. Other real property expenses not included in lines 4 or 5 of this form or on <i>Schedule I: Your Income</i> . | | | |
| 20a. Mortgages on other property | 20a. | \$ | 0.00 |
| 20b. Real estate taxes | 20b. | \$ | 0.00 |
| 20c. Property, homeowner's, or renter's insurance | 20c. | \$ | 0.00 |
| 20d. Maintenance, repair, and upkeep expenses | 20d. | \$ | 0.00 |
| 20e. Homeowner's association or condominium dues | 20e. | \$ | 0.00 |

Debtor 1 Samuel Calvin Houser
 First Name Middle Name Last Name

Case number (if known) 21-40095

21. Other. Specify: IRS/NC on self

21. +\$ 200.00
 +\$
 +\$

22. Calculate your monthly expenses.

22a. Add lines 4 through 21.

22a. \$ 4,304.80

22b. Copy line 22 (monthly expenses for Debtor 2), if any, from Official Form 106J-2 22c. Add line 22a and 22b. The result is your monthly expenses.

22b. \$

22c. \$ 4,304.80

23. Calculate your monthly net income.

23a. Copy line 12 (your combined monthly income) from Schedule I.

23a. \$ 4,333.40

23b. Copy your monthly expenses from line 22c above.

23b. -\$ 4,304.80

23c. Subtract your monthly expenses from your monthly income.
 The result is your monthly net income.

23c. \$ 28.60

24. Do you expect an increase or decrease in your expenses within the year after you file this form?

For example, do you expect to finish paying for your car loan within the year or do you expect your mortgage payment to increase or decrease because of a modification to the terms of your mortgage?

☒ No.

☐ Yes.

Explain here:

Fill in this information to identify your case:

Debtor 1	Samuel Calvin Houser		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: Western District of North Carolina			
Case number	21-40095		
	(If known)		

☒ Check if this is an amended filing
Official Form 106Sum**Summary of Your Assets and Liabilities and Certain Statistical Information**

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Fill out all of your schedules first; then complete the information on this form. If you are filing amended schedules after you file your original forms, you must fill out a new *Summary* and check the box at the top of this page.

Part 1: Summarize Your Assets**Your assets**

Value of what you own

1. *Schedule A/B: Property* (Official Form 106A/B)

1a. Copy line 55, Total real estate, from <i>Schedule A/B</i>	\$219,500.00
1b. Copy line 62, Total personal property, from <i>Schedule A/B</i>	\$4,505.77
1c. Copy line 63, Total of all property on <i>Schedule A/B</i>	\$224,005.77

Part 2: Summarize Your Liabilities**Your liabilities**

Amount you owe

2. *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 106D)

2a. Copy the total you listed in Column A, <i>Amount of claim</i> , at the bottom of the last page of Part 1 of <i>Schedule D</i>	\$3,672,743.34
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3. *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 106E/F)

3a. Copy the total claims from Part 1 (priority unsecured claims) from line 6e of <i>Schedule E/F</i>	\$4,100.00
3b. Copy the total claims from Part 2 (nonpriority unsecured claims) from line 6j of <i>Schedule E/F</i>	+ \$87,270.88

Your total liabilities**\$3,764,114.22****Part 3: Summarize Your Income and Expenses**4. *Schedule I: Your Income* (Official Form 106I)

Copy your combined monthly income from line 12 of <i>Schedule I</i>	\$4,333.40
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5. *Schedule J: Your Expenses* (Official Form 106J)

Copy your monthly expenses from line 22c of <i>Schedule J</i>	\$4,304.80
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Debtor 1 **Samuel Houser**
 First Name Middle Name Last Name

Case number (if known) **21-40095**

Part 4: Answer These Questions for Administrative and Statistical Records

6. Are you filing for bankruptcy under Chapters 7, 11, or 13?

- ☐ No. You have nothing to report on this part of the form. Check this box and submit this form to the court with your other schedules.
☒ Yes

7. What kind of debt do you have?

- ☒ **Your debts are primarily consumer debts.** *Consumer debts* are those "incurred by an individual primarily for a personal, family, or household purpose." 11 U.S.C. § 101(8). Fill out lines 8-9g for statistical purposes. 28 U.S.C. § 159.
☐ **Your debts are not primarily consumer debts.** You have nothing to report on this part of the form. Check this box and submit this form to the court with your other schedules.

8. From the *Statement of Your Current Monthly Income*: Copy your total current monthly income from Official Form 122A-1 Line 11; OR, Form 122B Line 11; OR, Form 122C-1 Line 14.

\$ **3,833.33**

9. Copy the following special categories of claims from Part 4, line 6 of *Schedule E/F*:

Total claim

From Part 4 on *Schedule E/F*, copy the following:

9a. Domestic support obligations (Copy line 6a.)	\$ <u>0.00</u>
9b. Taxes and certain other debts you owe the government. (Copy line 6b.)	\$ <u>4,100.00</u>
9c. Claims for death or personal injury while you were intoxicated. (Copy line 6c.)	\$ <u>0.00</u>
9d. Student loans. (Copy line 6f.)	\$ <u>0.00</u>
9e. Obligations arising out of a separation agreement or divorce that you did not report as priority claims. (Copy line 6g.)	\$ <u>0.00</u>
9f. Debts to pension or profit-sharing plans, and other similar debts. (Copy line 6h.)	+ \$ <u>0.00</u>
9g. Total. Add lines 9a through 9f.	\$ <u>4,100.00</u>

Fill in this information to identify your case:

Debtor 1 Samuel Calvin Houser
First Name Middle Name Last Name

Debtor 2
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the Western District of North Carolina

Case number 21-40095
(If known)

☒ Check if this is an amended filing

Official Form 106Dec

Declaration About an Individual Debtor's Schedules

12/15

If two married people are filing together, both are equally responsible for supplying correct information.

You must file this form whenever you file bankruptcy schedules or amended schedules. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Sign Below

Did you pay or agree to pay someone who is NOT an attorney to help you fill out bankruptcy forms?

☒ No

☐ Yes. Name of person _____ . Attach *Bankruptcy Petition Preparer's Notice, Declaration, and Signature* (Official Form 119).

Under penalty of perjury, I declare that I have read the summary and schedules filed with this declaration and that they are true and correct.

x Samuel C Houser
Signature of Debtor 1

x _____
Signature of Debtor 2

Date 8-26-21
MM / DD / YYYY

Date _____
MM / DD / YYYY

Fill in this information to identify your case:

Debtor 1 Samuel Calvin Houser
 First Name Middle Name Last Name

Debtor 2
 (Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: Western District of North Carolina

Case number (if known) 21-40095

☐ Check if this is an amended filing

Official Form 108

Statement of Intention for Individuals Filing Under Chapter 7

12/15

If you are an individual filing under chapter 7, you must fill out this form if:

- creditors have claims secured by your property, or
- you have leased personal property and the lease has not expired.

You must file this form with the court within 30 days after you file your bankruptcy petition or by the date set for the meeting of creditors, whichever is earlier, unless the court extends the time for cause. You must also send copies to the creditors and lessors you list on the form.

If two married people are filing together in a joint case, both are equally responsible for supplying correct information. Both debtors must sign and date the form.

Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known).

Part 1: List Your Creditors Who Have Secured Claims

1. For any creditors that you listed in Part 1 of *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 106D), fill in the information below.

Identify the creditor and the property that is collateral

Creditor's name: Mr. Cooper

Description of property securing debt: Residence: 1688 Peeler Road

What do you intend to do with the property that secures a debt?

- ☐ Surrender the property.
- ☐ Retain the property and redeem it.
- ☐ Retain the property and enter into a *Reaffirmation Agreement*.
- ☒ Retain the property and [explain]:
 remain current

Did you claim the property as exempt on Schedule C?

- ☐ No
- ☒ Yes

Creditor's name: BAM Capital LLC

Description of property securing debt: All Life Estates listed on Schedule A/B 1.2-1.7

- ☐ Surrender the property.
- ☐ Retain the property and redeem it.
- ☐ Retain the property and enter into a *Reaffirmation Agreement*.
- ☒ Retain the property and [explain]:
 Avoid Lien

- ☒ No
- ☐ Yes

Creditor's name: BMO Harris Bank NA

Description of property securing debt: All Life Estates listed on Schedule A/B 1.2-1.7

- ☐ Surrender the property.
- ☐ Retain the property and redeem it.
- ☐ Retain the property and enter into a *Reaffirmation Agreement*.
- ☒ Retain the property and [explain]:
 Avoid Lien

- ☒ No
- ☐ Yes

Debtor Samuel Calvin Houser

Case number(if known) 21-40095

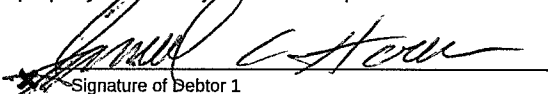
Part 2: List Your Unexpired Personal Property Leases

For any unexpired personal property lease that you listed in *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 106G), fill in the information below. Do not list real estate leases. *Unexpired leases* are leases that are still in effect; the lease period has not yet ended. You may assume an unexpired personal property lease if the trustee does not assume it. 11 U.S.C. § 365(p)(2).

Describe your unexpired personal property leases Will the lease be assumed?

Part 3: Sign Below

Under penalty of perjury, I declare that I have indicated my intention about any property of my estate that secures a debt and any personal property that is subject to an unexpired lease.


* Signature of Debtor 1

Date 8-26-21
MM/DD/YYYY

x _____
Signature of Debtor 2

Date _____
MM/DD/YYYY

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
SHELBY DIVISION

IN RE

Samuel Calvin Houser
SSN: XXX-XX-9963

Debtor.

Case No. 21-40095
Chapter 13

STATEMENT PURSUANT TO RULE 2016(b)

The undersigned, pursuant to Rule 2016(b), Rules of Bankruptcy Procedure, states that the compensation paid or promised by the Debtor, to the undersigned, is as follows:

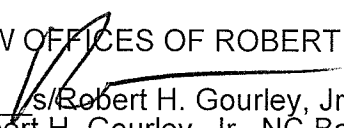
1. For legal services rendered, the Debtors have agreed to pay \$2500.00 for conversion of case from Chapter 13 to 7.
2. Prior to the filing of this statement, the Debtors have paid \$2500.00 towards attorney's fees.
3. Balance Due - \$0.00.
4. The filing fee of \$25.00 for conversion has been paid.
5. The services rendered or to be rendered include the following:
 - a. Analysis of the financial situation, and rendering advice and assistance to the clients in determining whether to convert to Straight Bankruptcy.
 - b. Preparation and filing of the Petition, Schedule of assets and liabilities, and Statement of Affairs.
 - c. Representation of the clients at the First Meeting of Creditors.

The undersigned further states that the source of monies paid by the Debtors to the undersigned was and is, earnings, wages and compensation for services performed; and

The undersigned further states that the undersigned has not shared or agreed to share with any other person, other than with members of undersigned's law firm, any compensation paid to him by the Debtors.

This the 26th day of August, 2021.

LAW OFFICES OF ROBERT H. GOURLEY, JR., P.A.


s/Robert H. Gourley, Jr.
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Statesville, NC 28677
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